

IN THE COURT OF APPEALS FOR THE FEDERAL CIRCUIT

In Re Chaganti	Appeal No. 2011-1344
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Certificate of Service

I certify that on the date shown below, true and correct copies of this paper and the attached Informal Brief were mailed to the Clerk of Court and copied to the Solicitor General's Office via mail and via E-mail to the following address by enclosing the same in a postage-paid envelope and addressed as follows:

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Dated: August 18, 2011

**Naren
Chaganti**

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FORM 14. Informal Brief (Board of Contract Appeals, Board of Patent Appeals and Interferences, Trademark Trial and Appeal Board, and International Trade Commission Cases)

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

In re Naren Chaganti v. _____

No. 2011-1344

INFORMAL BRIEF OF APPELLANT

Read the Guide for Pro Se Petitioners and Appellants before completing this form. Attach a copy of the final decision or order of the Board, Office, or Commission. Answer the following questions as best you can. Your answers should refer to the decision or order you are appealing where possible. Use extra sheets if needed.

1. Have you ever had another case in this court? ☐ Yes ☒ No If so, state the name and number of each case.

2. Did the Board or Commission incorrectly decide or fail to take into account any facts? ☒ Yes ☐ No If so, what facts? (Refer to paragraph 7 of the Guide.)

Though the Specification distinguishes the subject matter of the term "intangible property" to exclude corporate stocks and bonds, the Examiner and the Board stated that the term includes corporate stocks and bonds.

3. Did the Board or Commission apply the wrong law? ☒ Yes ☐ No If so, what law should be applied?

Process Control Corp. v. HydReclaim Corp., 190 F.3d 1350, 1357, (Fed. Cir. 1999)(a patentee may define a claim term contrary to its ordinary meaning). Renishaw PLC v. Marposs Societa' Perefin Azioni, 158 F.3d 1243, 1249 (Fed. Cir. 1998)(a claim term gets ordinary meaning only in the absence of an express intent to impart a novel meaning). Teleflex, Inc. v. Ficosa N. Am. Corp., 299 F.3d 1313, 1324 (Fed. Cir. 2002) (scope of claims determined with reference to specification).

4. Did the Board or Commission fail to consider important grounds for relief? ☒ Yes ☐ No If so, what grounds?

In the original filing Applicant used the term "special" property to distinguish the subject matter of the application from stocks and bonds. The Examiner objected to that term as indefinite. Later, Examiner read the word "intangible" to include "stock or bond", and then claimed that "intellectual property" is a form of "intangible property" and later argued that an exchange for selling a "right to a babysitter's time" is anticipated by a stock exchange. This is error because under this view, every new electronic circuit is anticipated because an electronic circuit is known.

FORM 14. Informal Brief (Board of Contract Appeals, Board of Patent Appeals and Interferences, Trademark Trial and Appeal Board, and International Trade Commission Cases) (continued)

5. Are there other reasons why the decision was wrong? ☒ Yes ☐ No If so, what reasons?

Each dependent claim should have been evaluated for patentability separately, but the examiner and the board failed to consider novel aspects of the disclosure. The Examiner's reasoning did not sufficiently account for the differences between the claims and prior art. Board ignored evidence that other applications (filed after the filing date of the instant application) claiming systems involving "intangible" or "special" property rights were allowed.

6. What action do you want the court to take in this case?

Reverse the Board and allow the independent or dependent claims as patentable over the cited art.

7. Do you want to argue before the court in person? ☒ Yes ☐ No If yes, what are the reasons why argument will aid the court? (Refer to paragraph 15 of the Guide.)

The Court may have questions which are not addressed by this brief. The Solicitor may respond with certain objections which may require a response. As this appeal originated from a rejection in the year 2004, the law may have been clarified or changed since. Applicant hereby incorporates by reference all arguments made in the PTO and before the Board.

8. Do you intend to represent yourself? ☒ Yes ☐ No If you have not filed an Entry of Appearance, indicate your full name, address, and telephone number.

I filed an entry of appearance.

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9. I certify that a copy of this brief and any attachments was sent to: Sydney O. Johnson, the attorney for appellee, at the following address: Sydney.Johnson@uspto.gov. (Address is found on the Entry of Appearance served on you by the attorney for the appellee. If you do not send a copy of this brief to the attorney for the appellee, the court will not file the brief.)

August 18, 2011

Date

Naren Chaganti

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Appellant's signature

In addition to mailing a copy to the attorney for the appellee, mail an original and three copies of this informal brief and attachments to:

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